

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7346 OF 2004

Rukhmani Purushottam & Ors. .. Petitioners

V/s

State of Maharashtra & Ors. .. Respondents

Mr.P.M. Pradhan for the Petitioners.

Mr.R.M. Patne, A.G.P. for Respondent No.1.

Mr.V.B. Naik for Respondents No.2 to 8.

CORAM : D.G. KARNIK, J.

DATE : 24TH APRIL 2007

**P.C. :**

1. Heard the learned counsel for the parties.

2. Mr.Naik appearing on behalf of the Respondents No.2 to 8 points out that in pursuance of the permission granted by the Charity Commissioner under Section 36 of the Bombay Public Trust Act, the sale of the property has already been effected on 1s October 2004. Intimation of the sale was also given to the Petitioners and even the entries regarding the sale of the property have been made in the public records on 14th December 2004. The Petitioners were thus very well aware of the sale of the property, yet they have not taken any steps for bringing

the purchasers of the property on record. Interfering with the order of the Charity Commissioner would affect the rights of the third party. No ground for interference in exercise of writ jurisdiction is called for. The writ petition is therefore rejected summarily.

(D.G. KARNIK, J.)